

IN THE UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF GEORGIA

ATLANTA DIVISION

NATALIE SOTO,

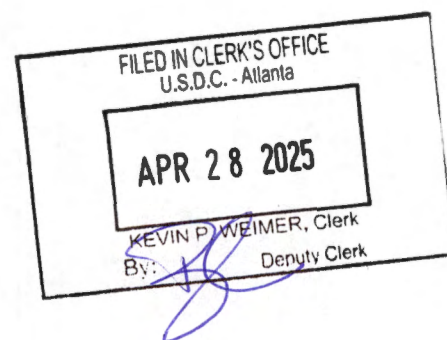
Plaintiff,

v.

WENDELL HOLMES, JR.,

Defendant

CIVIL ACTION NO. 1:24-cv-02911-SDG



STATEMENT OF UNDISPUTED MATERIAL FACTS

Pursuant to Local Rule 56.1, Defendant Wendell Holmes, Jr. submits the following Statement of Undisputed Material Facts, which he incorporates into his Motion for Summary Judgment. Each fact is supported by the record or by Defendant's own sworn Declaration below.

1. On or about February 22, 2024, Plaintiff Natalie Soto posted a public Facebook message accusing Defendant of lying about his marital status and demanding money.
2. Defendant privately sent photographs to non-party Dawn Douglas on or about February 23, 2024, for the limited purpose of persuading her to ask Plaintiff to remove the defamatory Facebook post.
3. Plaintiff never produced any pay stubs, tax records, or employment termination notices to demonstrate lost wages or employment discipline resulting from Defendant's conduct.
4. Plaintiff never offered medical or mental-health records, therapist affidavits, or expert testimony to substantiate any emotional-distress damages.

5. After Defendant filed his initial motions challenging Plaintiff's claimed damages, Plaintiff deleted or made private all of her social-media accounts, including Facebook and Instagram.
6. Defendant preserved video recordings of Plaintiff's pre-deletion social-media content showing her:
 - a. Bragging about obtaining a new job and practicing pole dancing;
 - b. Posting vacation photos with a romantic partner;
 - c. Appearing happy, confident, and uninjured.
7. On or about April 17, 2024, Plaintiff filed criminal charges against Defendant in Cobb County, Georgia, resulting in his public arrest at his place of employment.
8. Defendant was terminated from his church employment on June 17, 2024, as a direct result of the arrest.
9. As of the date of this filing, no conviction has occurred, and the criminal case remains pending, with no showing of probable cause or judicial finding of wrongdoing.
10. Plaintiff has introduced no evidence of reputational harm—no affidavits from colleagues, no adverse employment references, nor any lost professional opportunities.
11. Defendant's counterclaims seek \$350,000 in damages for lost wages, reputational harm, emotional distress, and litigation costs, supported by his own financial records and sworn Declaration.

DECLARATION OF WENDELL HOLMES, JR.

I, Wendell Holmes, Jr., declare under penalty of perjury under the laws of the United States of America that the following is true and correct:

1. I am the Defendant in the above-captioned action, proceeding pro se. I have personal knowledge of the facts set forth in this Declaration and, if called as a witness, could and would testify competently thereto.
2. I sent photographs to Ms. Dawn Douglas on or about Feb 23, 2024, via private Facebook message solely to induce her to request removal of Plaintiff's defamatory public post about me. I had no intent to harass or embarrass Ms. Douglas or Plaintiff; my sole purpose was to mitigate the reputational harm caused by Plaintiff's Facebook statements.
3. I have personally searched for and reviewed any evidence Plaintiff produced of damages. I found none—no employment records showing lost wages, no medical or mental-health records, and no witness statements corroborating emotional distress.
4. On or about April 23, 2025, I observed that Plaintiff's social-media profiles were no longer publicly accessible. I immediately preserved video recordings of her now-deleted posts, which depict her enjoying a new job, practicing pole dancing, and vacationing with a romantic partner.
5. My arrest on Father's Day June 16, 2024, at my place of employment directly caused my termination the following day. I have lost wages, professional standing, and incurred significant legal expenses defending myself in both criminal and civil proceedings.
6. I have reviewed the Statement of Undisputed Material Facts above, and I attest that each numbered paragraph is true and correct to the best of my knowledge, information, and belief.

Executed on April 28, 2025, Mableton, GA

A handwritten signature in dark ink, appearing to read 'Wendell Holmes, Jr.', written in a cursive style.

Wendell Holmes, Jr., Pro Se

CERTIFICATE OF SERVICE

I hereby certify that on April 28, 2025, I electronically filed the foregoing Statement of Undisputed Material Facts, Declaration of Wendell Holmes, Jr., and Certificate of Service with the Clerk of Court using the CM/ECF system, which will automatically send notification of such filing to Plaintiff's counsel:

Joseph W. Weeks
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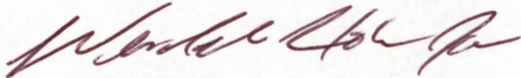


Wendell Holmes, Jr., Pro Se

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Mableton, GA 30126

Respectfully submitted this 28th day of April, 2025.



Wendell Holmes, Jr., Pro Se

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